

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

VIRDA BELL BULLARD; et. al.)
Plaintiffs,)
vs.)
BURLINGTON NORTHERN SANTA)
FE RAILWAY COMPANY; KOPPERS)
INDUSTRIES, INC.; MONSANTO)
COMPANY; DOW CHEMICAL)
COMPANY; AND VULCAN)
MATERIALS COMPANY)
Defendants.)
Case No. 07-C-6883
Judge Kennelly
Magistrate Judge Ashman

NOTICE OF MOTION

To: James L. "Larry" Wright
Watts Law Firm, LLC
111 Congress Avenue, Suite 1000
Austin, Texas 78701

Grover G. Hankins
The Hankins Law Firm
440 Louisiana Street, Suite 725
Houston, Texas 77002

Dwight E. Jefferson
Dwight E. Jefferson, P.L.L.C.
405 Main Street, Suite 950
Houston, Texas 77002

David S. Jasmer
Davis S. Jasmer, LLC
111 W. Washington Street, Suite 1150
Chicago, Illinois 60602

PLEASE TAKE NOTICE that on **December 19, 2007, at 9:30 a.m.**, or as soon thereafter as this Motion may be heard, we shall appear before the Honorable Matthew F. Kennelly or whomever may be designated to sit in his stead, in Courtroom 2103 of the United States Courthouse, 219 S. Dearborn, Chicago, Illinois and shall then and there present

DEFENDANTS' JOINT MOTION TO TRANSFER VENUE, a copy of which has been served upon you.

Respectfully submitted,

BNSF RAILWAY COMPANY

By: /s/ Daniel J. Mohan (by permission)

Daniel J. Mohan (6187721)
Daley & Mohan, PC
150 N. Wacker Drive
Chicago, Illinois 60606
Telephone: (312) 422-9999
Facsimile: (312) 201-9368

Attorneys for Defendant, BNSF Railway Company

OF COUNSEL:

Douglas W. Poole
(motion for *pro hac vice* admission to be filed)
McLeod, Alexander, Powel & Apffel
A Professional Corporation
802 Rosenberg; P.O. Box 629
Galveston, Texas 77553
Telephone: (409) 763-2481
Facsimile: (409) 762-1155

Respectfully submitted,

KOPPERS INC.

By: /s/ Robert L. Shuftan

Robert L. Shuftan (3124475)
Brent R. Austin (6220501)
Leonard S. Kurfurst (6187651)
Wildman, Harrold, Allen & Dixon LLP
225 W. Wacker Drive, Suite 3000
Chicago, Illinois 60606
Telephone: (312) 201-2000
Facsimile: (312) 201-2555

Attorneys for Defendant, Koppers Inc.

Respectfully submitted,

MONSANTO COMPANY

By: /s/ Marla R. Shade (by permission)

Darren VanPuymbrouck (6193910)
Marla R. Shade (6273036)
Renee C. Kelley (6289904)
Schiff Hardin LLP
6600 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606-6473
Telephone: (312) 258-5559
Facsimile: (312) 258-5600

**Attorneys for Defendant, Monsanto
Company**

OF COUNSEL:

Kenneth R. Heineman
(motion for *pro hac vice* admission to be filed)
Joe Kilpatrick
(motion for *pro hac vice* admission to be filed)
Charles Ron Hobbs, II
(motion for *pro hac vice* admission to be filed)
Husch & Eppenberger, LLC
190 Carondelet Plaza, Suite 600
St. Louis, Missouri 63105
Telephone: (314) 480-1500
Facsimile: (314) 480-1505

Respectfully submitted,

THE DOW CHEMICAL COMPANY

By: /s/ Lise T. Spacapan (by permission)

Lise T. Spacapan (6188257)
Gabrielle Sigel (6186108)
Jenner & Block LLP
330 N. Wabash Avenue
Chicago, Illinois 60611-7603
Telephone: (312) 222-9350
Facsimile: (312) 527-0484

**Attorneys for Defendant, The Dow
Chemical Company**

Respectfully submitted,

VULCAN MATERIALS COMPANY

By: /s/ Larry J. Chilton (by permission)

Larry J. Chilton (6185236)
Chilton Yambert Porter & Young LLP
150 South Wacker Drive, Suite 2400
Chicago, IL 60606
Telephone: (312) 460-8000
Facsimile: (312) 460-8299

**Attorneys for Defendant, Vulcan
Materials Company**

OF COUNSEL:

Stephen C. Dillard
(motion for *pro hac vice* admission to be filed)
Fulbright & Jaworski L.L.P.
1301 McKinney, Suite 5100
Husch & Eppenberger, LLC
Houston, Texas 77010-3095
Telephone: (713) 651-5151
Facsimile: (713) 651-5246

CERTIFICATE OF SERVICE

I, Robert L. Shuftan, an attorney, state that I have served true and correct copies of the foregoing *Notice of Motion* upon the below attorneys via overnight mail on December 13, 2007 and upon all other attorneys of record through the Court's CM/ECF system:

James L. "Larry" Wright
Watts Law Firm, LLC
111 Congress Avenue, Suite 1000
Austin, Texas 78701

Grover G. Hankins
The Hankins Law Firm
440 Louisiana Street, Suite 725
Houston, Texas 77002

Dwight E. Jefferson
Dwight E. Jefferson, P.L.L.C.
405 Main Street, Suite 950
Houston, Texas 77002

David S. Jasmer
Davis S. Jasmer, LLC
111 W. Washington Street, Suite 1150
Chicago, Illinois 60602

Attorneys for Plaintiffs

/s/ Robert L. Shuftan